

Serial No. 09/943,578

REMARKS

The Examiner is thanked for taking the time to review the proposed changes to claims 1 and 2 and to discuss a possible new claim with the undersigned.

Claims 1 and 2 have been amended to make explicit that which is believed implicit by the last Amendment, and a new claim 15 has been added directed to a particular species of the application wherein each of  $R^1$  to  $R^2$  are hydrogen and the A to D groups are each naphthyl; see the specification at page 8, formula (10) for support for this compound.

The rejection of claims 1 to 8 and 11 to 14 under 35 USC 102 as anticipated by JP '086, if applied to the claims as amended, is respectfully traversed. As discussed with the Examiner on July 25, 2003, the claims were amended in the last reply to specify that that only the  $R^3$  to  $R^{10}$  groups were permitted to be bonded to each other and form a saturated or unsaturated carbon ring; with such a change, it would be impossible to have a compound as shown in JP '068 because the upper left hand aromatic ring would not be present. It was agreed during the course of the July 25, 2003 discussion that



Serial No. 09/943,578

the claims would be changed better to emphasize this distinction, and claims 1 and 2 have been further amended specifically to state that the groups represented by  $R^1$  and  $R^2$  are not bonded to each other and form a saturated or unsaturated carbon ring. A new claim 15 based upon species (10) has been added also.

The rejection of claims 9 and 10 under 35 USC 103 as unpatentable over JP '086 in view of Araki et al. '045 is respectfully traversed. It is believed that these claims patentably define over the cited art for the same reasons given above.

In view of the foregoing revisions and remarks, it is respectfully submitted that claims 1 to 15 are in immediate condition for allowance and a USPTO paper to those ends is earnestly solicited.



Serial No. 09/943,578

The Examiner is requested to telephone the undersigned if additional changes are required in the case prior to allowance.

Respectfully submitted,

PARKHURST & WENDEL, L.L.P.

August 19, 2003  
Date

Charles A. Wendel  
Charles A. Wendel  
Registration No. 24,453

CAW/ch

Attorney Docket No.: OHTN:004

PARKHURST & WENDEL, L.L.P.  
1421 Prince Street  
Suite 210  
Alexandria, Virginia 22314-2805  
Telephone: (703) 739-0220